Urgent Action to Block a Default Judgment

Since you missed the deadline to file an **Answer**, use this **fastest legal method** to prevent the plaintiff (American Express) from obtaining a default judgment against you.

Option 1: File a "Motion for Relief from Default" (CCP § 473(b))

Form: **CIV-100** (Generic Motion Form)

Deadline: **Must file within 6 months** of the default request (if one exists).

How to Fill It Out:

1. **Check Box 5a**: *"Set aside entry of default or default judgment."*
2. **Reason**: Write:
   "Defendant failed to file an Answer due to [excusable reason: illness, mistake, lack of notice, etc.]. Defendant has meritorious defenses, including lack of standing and improper service."
3. **Attach a Proposed Answer**: Use **PLD-C-010** to show you're ready to fight the case.

File Immediately: Submit to the **Chatsworth Courthouse** (9425 Penfield Ave).

Option 2: File an Answer Now (Even If Late)

Form: **PLD-C-010**

Why This Works:

- Courts often accept late Answers **if no default judgment has been entered yet**.
- Check the docket **here** to confirm no default request exists.

Key Defenses to Include:

1. *"Plaintiff lacks standing to sue—no proof of valid debt ownership."*

2. *"Statute of limitations bars this claim (4 years for written contracts)."*
3. *"Defendant disputes the alleged debt amount."*

Option 3: Request a Fee Waiver (If Low Income)

Form: **FW-001**

- Eliminates filing fees ($435 for civil cases).

Next Steps

1. **Check the Court Docket** → Look for "Request for Entry of Default" here.
2. **File TODAY**: Either:
    - **Motion for Relief from Default (CIV-100)** (if default is pending), **OR**
    - **Late Answer (PLD-C-010)** (if no default yet).
3. **Serve the Plaintiff**: Mail a copy to their attorney (address on Summons).
4. **Attend the OSC Hearing (11/19/2025)**: Explain your efforts to comply.

Why This Works

- **CCP § 473(b)**: Courts **must** grant relief if your delay was due to "mistake, inadvertence, or excusable neglect."
- **Meritorious Defense**: If you raise valid defenses (e.g., standing, statute of limitations), judges often allow the case to proceed.

Need Help?

- **LA Court Self-Help**: (818) 407-2600 | Chatsworth Courthouse
- **Legal Aid**: lafla.org (Free attorney consult).